

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Northern District of West Virginia

Case number (if known): \_\_\_\_\_ Chapter 11

Check if this is an amended filing

## Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

**1. Debtor's name**Emerald Grande, LLC**2. All other names debtor used in the last 8 years**

Include any assumed names, trade names, and *doing business as* names

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**3. Debtor's federal Employer Identification Number (EIN)**2 6 - 3 4 1 7 9 8 5**4. Debtor's address****Principal place of business****Mailing address, if different from principal place of business**

205 Marion Square

Number Street

Number Street

Fairmont

City

WV

State

26651

ZIP Code

P.O. Box 190

P.O. Box

FL

City State ZIP Code

MARION

County

**Location of principal assets, if different from principal place of business**

106 Merchants Walk Shopping Center

Number Street

Summersville

City

WV

State

26651

ZIP Code

**5. Debtor's website (URL)****6. Type of debtor**

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: \_\_\_\_\_

Debtor	<u>Emerald Grande, LLC</u>	Case number (if known) _____
<p><b>7. Describe debtor's business</b></p> <p>A. Check one:</p> <p><input type="checkbox"/> Health Care Business (as defined in 11 U.S.C. § 101(27A))  <input type="checkbox"/> Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  <input type="checkbox"/> Railroad (as defined in 11 U.S.C. § 101(44))  <input type="checkbox"/> Stockbroker (as defined in 11 U.S.C. § 101(53A))  <input type="checkbox"/> Commodity Broker (as defined in 11 U.S.C. § 101(6))  <input type="checkbox"/> Clearing Bank (as defined in 11 U.S.C. § 781(3))  <input checked="" type="checkbox"/> None of the above</p> <p>B. Check all that apply:</p> <p><input type="checkbox"/> Tax-exempt entity (as described in 26 U.S.C. § 501)  <input type="checkbox"/> Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  <input type="checkbox"/> Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))</p> <p>C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <a href="http://www.uscourts.gov/four-digit-national-association-naics-codes">http://www.uscourts.gov/four-digit-national-association-naics-codes</a>.</p> <p style="text-align: center;"><u>7</u> <u>2</u> <u>1</u> <u>3</u></p>		
<p><b>8. Under which chapter of the Bankruptcy Code is the debtor filing?</b></p> <p>Check one:</p> <p><input type="checkbox"/> Chapter 7  <input type="checkbox"/> Chapter 9  <input checked="" type="checkbox"/> Chapter 11. Check all that apply:</p> <p><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).  <input type="checkbox"/> The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  <input type="checkbox"/> A plan is being filed with this petition.  <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  <input type="checkbox"/> The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the <i>Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11</i> (Official Form 201A) with this form.  <input type="checkbox"/> The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.</p> <p><input type="checkbox"/> Chapter 12</p>		
<p><b>9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?</b></p> <p>If more than 2 cases, attach a separate list.</p> <p><input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes. District _____ When _____ Case number _____</p> <p>District _____ When _____ Case number _____</p>		
<p><b>10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?</b></p> <p>List all cases. If more than 1, attach a separate list.</p> <p><input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes. Debtor _____ Relationship _____</p> <p>District _____ When _____</p> <p>Case number, if known _____</p>		

Debtor Emerald Grande, LLC Name \_\_\_\_\_ Case number (if known) \_\_\_\_\_

**11. Why is the case filed in this district?** *Check all that apply:*

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)**

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety. What is the hazard? \_\_\_\_\_

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other The bridge access to the hotel in Elkview, WV was destroyed in June 2016.

**Where is the property?** 101 Crossing Shopping Mall  
 Number \_\_\_\_\_ Street \_\_\_\_\_  
 \_\_\_\_\_  
 City Elkview State WV ZIP Code 25071

**Is the property insured?**

No

Yes. Insurance agency Bankers Insurance / Zurich  
 Contact name Robert B. Jones  
 Phone (434) 793-8322

#### Statistical and administrative information

**13. Debtor's estimation of available funds** *Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

**14. Estimated number of creditors**

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

**15. Estimated assets**

<input type="checkbox"/> \$0-\$50,000	<input type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
<input type="checkbox"/> \$50,001-\$100,000	<input checked="" type="checkbox"/> \$10,000,001-\$50 million	<input type="checkbox"/> \$1,000,000,001-\$10 billion
<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion

Debtor	<u>Emerald Grande, LLC</u>			Case number (if known)												
Name																
<b>16. Estimated Liabilities</b> <table border="0"> <tr> <td><input type="checkbox"/> \$0-\$50,000</td> <td><input type="checkbox"/> \$1,000,001-\$10 million</td> <td><input type="checkbox"/> \$500,000,001-\$1 billion</td> </tr> <tr> <td><input type="checkbox"/> \$50,001-\$100,000</td> <td><input checked="" type="checkbox"/> \$10,000,001-\$50 million</td> <td><input type="checkbox"/> \$1,000,000,001-\$10 billion</td> </tr> <tr> <td><input type="checkbox"/> \$100,001-\$500,000</td> <td><input type="checkbox"/> \$50,000,001-\$100 million</td> <td><input type="checkbox"/> \$10,000,000,001-\$50 billion</td> </tr> <tr> <td><input type="checkbox"/> \$500,001-\$1 million</td> <td><input type="checkbox"/> \$100,000,001-\$500 million</td> <td><input type="checkbox"/> More than \$50 billion</td> </tr> </table>					<input type="checkbox"/> \$0-\$50,000	<input type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion	<input type="checkbox"/> \$50,001-\$100,000	<input checked="" type="checkbox"/> \$10,000,001-\$50 million	<input type="checkbox"/> \$1,000,000,001-\$10 billion	<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion	<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion
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<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion														

### Request for Relief, Declaration, and Signatures

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

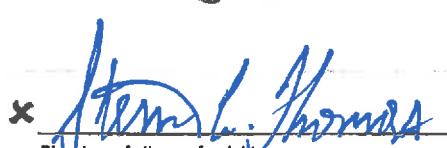
Executed on 01/10/2017  
MM / DD / YYYY

  
Signature of authorized representative of debtor

William A. Abruzzino  
Printed name

Title Managing Member

**18. Signature of attorney**

  
Signature of attorney for debtor

Date 01/10/2017  
MM / DD / YYYY

Steven L. Thomas  
Printed name

Kay Casto & Chaney PLLC  
Firm name

P. O. Box 2031  
Number Street

Charleston  
City

WV 25327-2031  
State ZIP Code

(304) 345-8900  
Contact phone

sthomas@kaycasto.com  
Email address

3738  
Bar number

WV  
State

UNITED STATES BANKRUPTCY COURT  
Southern District of West Virginia

In re: **Emerald Grande**

Debtors

Case No. \_\_\_\_\_

Chapter **11** \_\_\_\_\_

**VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: 1-10-17

✓ Signed: William G. Blaylock

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

American Hotel Register Company  
100 S. Milwaukee Avenue  
Vernon Hills, IL 60694-1299

Carter Bank & Trust  
305 S. Main Street  
Reidsville, NC

Christopherson Andavo Travel  
5588 S. Green Street, Suite 300  
Salt Lake City, UT 84123

Carrier Enterprise  
2300 Westmoreland Street  
Richmond, VA 23230

Guestsupply  
P.O. Box 910  
Monmouth Junction, NJ 08852-0910

In the Swim  
320 Industrial Drive  
West Chicago, IL 60185

Image 2  
800 North Side Drive, Suite 27  
Summersville, WV 26651

JP Mechanical, Inc.  
103 ½ McKinney Ave.  
Dunbar, WV 25064

LA Quinta Inn & Suites  
P.O. Box 841946  
Dallas, TX 75284-1946

May Contracting, Inc.  
12354 Virginia Blvd.  
Ashland, KY 41102

NetTRans  
P.O. Box 529 311  
Tonsberg, Norway

Sheriff of Nicholas County  
P.O. Box 525  
Summersville, WV 26551

Super Laundry  
35 Corporate Drive  
Suite 220  
Burlington, MA 01803

Supreme Hospitality Supply  
3430 Browns Mill Road  
Atlanta, GA 30354

Standard Textile  
P.O. Box 63002  
Cincinnati, OH 45263-0302

US Food  
P.O. Box 644540  
IL Egg Inspection Fee PD  
Pittsburgh, PA 15264-4540

Williams Scotsman  
901 S. Bond Street  
Suite 600  
Baltimore, MD 21231

West Virginia Division of Labor  
749-B Building 6, Capitol Complex  
Charleston, WV 25305

WV State Tax Department  
P.O. Box 11013  
Charleston, WV 25339

Kanawha County Sheriff  
409 Virginia Street E.  
Charleston, WV 25301

Kanawha Valley Advertising Company  
P.O. Box 627  
Poca, WV 25159

LaQuinta Inn-Franchising  
P.O. Box 612587  
Dallas, TX 75261-2587

Supreme Hospitality Supply, LLC  
3430 Browns Mill Road  
Atlanta, GA 30354

Tyco Simplex Grinnell  
108 Craddock Way  
Poca, WV 25159-7606

WV State Tax Department  
1124 Smith Street  
Charleston, WV 25301

Bulk TV & Internet  
P.O. Box 99129  
Raleigh, NC 27624

ECOLAB  
P.O. Box 32027  
New York, NY 1008-2027

Elk Valley Public Service District  
P.O. Box 7175  
Charleston, WV 25356

Frontier Communications  
P.O. Box 20660  
Rochester, NY 14602-0550

Mountaineer Gas Company  
P.O. Box 5656  
Charleston, WV 25361-0656

Waste Management of WV  
P.O. Box 13648  
Philadelphia, PA 19101-3648

West Virginia American Water  
P.O. Box 371880  
Pittsburgh, PA 15250-7880

Appalachian Power Company  
P.O. Box 24413  
Canton, OH 44701-4413

First Bank of Charleston  
201 Pennsylvania Avenue  
Charleston, WV 25302

Christiana Trust  
101 Convention Center Dr. #838  
Las Vegas, NV 89109

AT&T  
P.O. Box 5094  
Carol Stream, IL 60197-5094

Velocity  
P.O. Box 1179  
Holland, OH 43528

**United States Bankruptcy Court**  
Northern District of West Virginia

In re **Emerald Grande, LLC**

Case No.

Debtor.

Chapter **11**

**STATEMENT OF CORPORATE OWNERSHIP**

Comes now Emerald Grande, LLC (the "Debtor") and pursuant to Fed. R. Bankr. P. 1007(a) and 7007.1 state as follows:

       All corporations that directly or indirectly own 10% or more of any class of the corporation's equity interests are listed below:

OR,

X There are no entities to report.

By:

  
Steven L. Thomas  
Signature of Attorney

Counsel for

Bar no.: **3738**

Address.: **P. O. Box 2031**  
Charleston, West Virginia 25327-2031

Telephone No.: **(304) 345-8900**

Fax No.: **(304) 345-8909**

E-mail address: **sthomas@kaycasto.com**

UNITED STATES BANKRUPTCY COURT  
Northern District of West Virginia

In re:

Emerald Grande, LLC Case No. BKY

Debtor(s) Chapter 11 Case

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, William A. Abruzzino, declare under penalty of perjury that I am the Manager of Emerald Grande, LLC, and that the following is a true and correct copy of the resolutions adopted by the Company at a special meeting duly called and held on January 10, 2017;

"Whereas, it is in the best interest of his corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that William a. Abruzzino, Manager of this Company, is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case; and

Be It Further Resolved, that William A. Abruzzino, Manager of this Company, is authorized and directed to employ Steven L. Thomas, attorney and the law firm of Kay Casto & Chaney PLLC to represent the Company in such bankruptcy case."

Date: 1-11-17

Signed: William A. Abruzzino  
William A. Abruzzino

RESOLUTION OF THE SOLE MEMBER OF EMERALD GRANDE, LLC

WHEREAS, on January 10, 2017, the sole member of Emerald Grande, LLC (the "Company"), acting on behalf of the Company considered the Company's current financial situation, particularly the notice of foreclosure issued by Carter Bank & Trust with respect to the Company's hotel properties;

WHEREAS, in accordance with the requirements of applicable law upon consideration of this resolution, the sole member has further considered the financial and operational condition of the Company, including its assets and liabilities, its operational performance, and its prospects for reorganization;

NOW THEREFORE, BE IT

RESOLVED that, in the judgment of the sole member, it is desirable and in the best interests of the Company, while considering its creditors, interested parties and continued efforts to carry on its business, to file a petition ("Petition") for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Northern District of West Virginia ("Bankruptcy Court"); and it is further

RESOLVED that the filing of the Petition is hereby approved as of this 9th day of January, 2017; and it is further

RESOLVED that William A. Abruzzino, the Manager of Gold Coast Partners, LLC, acting as the sole member of the Company, and as the Manager of Emerald Grande (the "Authorized Officer"), is hereby authorized to execute, verify and file the Petition on behalf of the Company and is hereby appointed as the authorized signatory with authority to take any such other actions as is necessary or appropriate to effectuate the Company's bankruptcy filing; and it is further

RESOLVED that the Authorized Officer be, and hereby is, authorized, directed and empowered, on behalf of and in the name of the Company, to execute, verify and/or file, or cause to be filed and/or executed or verified all necessary documents, including, without limitation, all petitions, affidavits, schedules, motions, lists, applications, pleadings and other papers; and it is further

RESOLVED that the Authorized Officer be, and hereby is, authorized to employ and retain legal counsel, accountants, or other professionals to assist in the Company's efforts in Chapter 11, and to take any and all action that he deems necessary, proper, or desirable in connection with the Chapter 11 case, including, but not limited to, (I) all actions necessary, proper, or desirable to obtain debtor-in-possession financing from one

or more lenders, including, without limitation, the granting of super-priority administrative and secured claims and the execution of loan agreements and ancillary documents, (ii) all actions necessary, proper, or desirable to explore and effectuate sale options for the company and/or its assets, which could include the filing of a motion to sell the organization's assets, a motion for approval of bidding procedures and the approval and filing of other related documents, affidavits, motions, pleadings or papers, (iii) all actions necessary, proper or desirable to address labor, pension and other benefit plan issues and liabilities; and (iv) all actions necessary, proper or desirable to negotiate the terms of a plan of reorganization for the Company; and it is further

RESOLVED that the law firm of Kay Casto & Chaney, PLLC (the "Law Firm"), is employed as local and general bankruptcy counsel for the Company subject to Bankruptcy Court approval; and in connection therewith, the Authorized Officer is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers prior to and immediately upon the filing of the bankruptcy case, and to cause to be filed the appropriate applications for authority to retain the legal services of the Law Firm; and it is further

RESOLVED that the Authorized Officer be, and hereby is, authorized and directed to employ any other individual and/or firm as professionals or consultants or financial advisors of the Company as are deemed to be necessary to represent and assist the organization in carrying out its duties under Title 11 of the Bankruptcy Code, and in connection therewith, the Authorized Officer is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, if required, prior to and immediately upon the filing of the bankruptcy case, and to cause to be filed an appropriate application for authority to retain the services of such firms or individuals, and it is further

RESOLVED that the Authorized Officer be, and hereby is, authorized, directed and empowered, in the name and on behalf of the Company, to pay and direct the payment of all court-approved fees and expenses incurred in connection with the Company's Chapter 11 case; and it is further

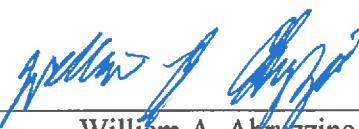
RESOLVED that to the extent authorized by the sole member, the Authorized Officer is authorized, directed and empowered from time to time in the name and on behalf of the Company to (a) take such further actions and execute and deliver such certificates, instruments, guaranties, notices and documents as may be required or as such officer may deem to be necessary, advisable or proper to carry out the intent and purpose of the foregoing resolutions, including the execution and delivery of any security agreements, pledges, financing statements and the like, and (b) perform the obligations of the Company under the Bankruptcy Code, with all such actions to be performed in such

manner, and all such certificates, instruments, guaranties, notices and documents to be executed and delivered in such form, as the officer performing or executing the same shall approve, and the performance or execution thereof by such officer shall be conclusive evidence of the approval thereof by such officer and by the Company; and it is further

RESOLVED that, upon execution of this written consent, it shall be deemed adopted and in full force and effect as of the date hereof; and it is further

RESOLVED that all of the acts and transactions relating to matters contemplated by the foregoing resolutions of management and the sole member, in the name and on behalf of the Company, which acts would have been approved by the foregoing resolutions except that such actions were taken prior to the execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

By signing below, the sole member acknowledges that the foregoing Resolutions are approved on and as of this 10th day of January, 2017.

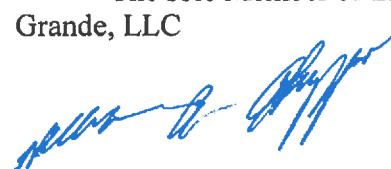


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William A. Abruzzino,  
Manager of Gold Coast Partners,

LLC

The sole Member of Emerald  
Grande, LLC



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William A. Abruzzino,  
Manager of Emerald Grande, LLC